



## **How to Amend the Summons and/or Petition in a Dissolution, Legal Separation or Nullity Case**

### **Purpose of these instructions**

These instructions will provide assistance in a Dissolution, Legal Separation or Nullity case if you are trying to change the information originally stated in your Summons, and/or Petition. For example, if you originally asked for a Legal Separation but now you would like to change your request to Dissolution, you will need to “amend” your forms.

If you would like to amend your Summons, and/or Petition in your case, you are allowed to amend your Summons and/or Petition one time, without permission from the Court. If a Response has been filed by the other party and your case has already been set for trial, then you will need permission from the Court first.

You will need to fill out the same forms that you originally filed and include your changes (additions and/or deletions) on a new set of forms. You will need to type or print “Amended” at the top of the Summons, at the top of the UCCJEA form (if applicable), and there is a box on the Petition that you must mark for “Amended.”

There is no fee for filing an amended Summons and/or Petition.

### **Documents Needed to File**

- Summons, FL-110
- Petition, FL-100
- Declaration Under UCCJEA, FL-105 (If applicable)

### **Steps you must take**

#### **Step 1: Complete the necessary documents**

- Fill out the forms to include your additions and/or deletions.



If you need more detailed instructions on how to complete these forms, you may refer to the instructions for starting a new case or contact a private attorney. Instructions on how to complete the forms and regarding service can be found at the following link:

<http://www.saccourt.ca.gov/family/docs/fl-disso-start.pdf>

### **Step 2: Photocopy your documents**

- Make 2 copies of the "Summons."
- Make 2 copies of the "Petition."
- Make 2 copies of the "Declaration Under UCCJEA" (if there are minor children).

### **Step 3: File your Amended Summons and/or Amended Petition**

You will need to request a service ticket number from the staff at the Information Booth to file your documents and copies at the Filing Counter in Room 100. No service tickets are issued after 3:00 p.m., so please plan to arrive early.

### **Step 4: Serve copies on the other party**

- Have someone over the age of 18, other than yourself (a friend or relative) who is not a party to the case personally serve your spouse a copy of the amended forms after they have been filed.
- Have your server complete the "Proof of Service of Summons" (FL-115). It will have to be clearly printed on the "Proof of Service of Summons" that the "Amended" Summons, "Amended" Petition, and/or "Amended" UCCJEA was served. Once this is done, file the original "Proof of Service of Summons" and a photocopy with the Filing Counter in Room 100. You will need to get a service ticket number from the Information Booth no later than 3:00 p.m.
- Once the other party is served the amended documents, you must allow 30 days for the other party to reply to the amended documents (only if no Response has been filed yet).

To obtain more information about requesting court orders or about finishing your case, please return to the Self Help Center or consult a private attorney for further assistance.